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3 PAGES ATTACHED

___ AMENDMENT w/Ext. Of Time
XXX Restriction Requirement
___ Other: Change of Address

___ Notice of Appeal
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___ Other: _____

Re Applic of	David C. Long, et al.	
Docket No.	FIS920010163US1	
Serial No.	10/016,090	FAX RECEIVED
Filing Date	December 13, 2001	FEB 11 2003
Attorney	Ira David Blecker	TECHNOLOGY CENTER 2800

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EXAMINER: JENNIFER A. POKER
ART UNIT: 2832
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE VIA FACSIMILE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

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Hilda Heinlein 2/11/03
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of _____ :	February 11, 2003
<input checked="" type="checkbox"/> David C. Long, et al. _____ :	Group Art Unit: 2832
<input checked="" type="checkbox"/> Serial No. 10/016,090 _____ :	Examiner: Jennifer A. Poker
<input checked="" type="checkbox"/> Filed: December 13, 2001 _____ :	IBM Corporation Dept. 18G/Bldg. 300-482 2070 Route 52, Hopewell Junction, NY 12533
<input checked="" type="checkbox"/> Title: EMBEDDED INDUCTOR AND METHOD OF MAKING _____ :	

RESPONSE TO RESTRICTION REQUIREMENT

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Commissioner for Patents
and Trademarks
Washington, D.C. 20231

FEB 11 2003

TECHNOLOGY CENTER 2800

Sir:

In an Office Action mailed January 14, 2003, the Examiner has required
restriction to one of the following inventions under 35 USC §121:

I. Claims 1 to 13, drawn to a dielectric substrate; and

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II. Claims 14 to 20, drawn to a method of forming a dielectric substrate.

According to the Examiner, the inventions are distinct because they are related as process of making and product made. Further according to the Examiner, because these inventions are distinct and have acquired a separate status in the art, restriction is proper.

The restriction requirement is respectfully traversed.

While the inventions may be distinct, they are not independent and distinct as required by the statute, 35 USC §121. The Examiner has made no claim that the inventions are independent. Accordingly, it is submitted that as the inventions are not independent and distinct as required by 35 USC §121, restriction is not proper.

Applicants are not unmindful of the fact that the Office may require restriction if the inventions are merely distinct and not independent and distinct as required by 35 USC §121. In the event that the Examiner continues to erroneously assert that restriction is proper, then Applicants hereby elect claims 1 to 13 for prosecution in this application.


S/N 10/016,090

Further action with respect to the present application is earnestly
solicited.

Respectfully submitted,

DAVID C. LONG, ET AL.

By:


Ira David Blecker, Senior Attorney
Registration No. 29,894
Tel. (845) 894-2580

IDB/hh

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